



Appeals and State Hearings Newsletter

Website: www.ladpss.org

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Our address: 3833 S Vermont Ave - 4th floor
Los Angeles, CA 90037

Appreciation Day



ASH Administrators treated the appeals staff to a special pizza luncheon on 5/19/04 in celebration of Staff Appreciation Day. The menu included salad, garlic bread, several pizza choices, drinks and a large helping of "Thank You's" from the ASH managers who recognize and appreciate the dedication and commitment of ASH staff.



Case Correction Memos (PA 411) sent by ASH to district offices now identify potential Food Stamp errors. If the issue involves Food Stamps, a notation on the upper right hand corner of the PA 411 alerts districts that the case in question may have a potential Food Stamp error!



In May 2004, there were 199 PA 411s with FS alert notations. Remember that a corrected case means one less error case!!!



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Dear Ashley

Dear Ashley,

I keep hearing about due process and that it's the reason we have state hearings. What is due process and why is it important?
Just wondering

Dear Just,

Due process in state hearings means that the county and the claimants are given the opportunity to be heard, present their views and introduce evidence about the question raised in the hearing request. Due process begins when the claimant receives adequate notice of the county action. Other requirements of due process are the right to representation, and the correct identification of the issues under appeal. Both the claimant's and the county's rights in a fair hearing are protected. The goal of the hearing is not that one side may win, but that correct decisions are reached through adherence to due process principles.



Dear Ashley,

I'm an EW and one of my cases went to hearing. The County lost because the judge believed that the participant mailed in his CW7. We never got it! And we said so in the hearing! How could the County lose the hearing?
Incredulous

Dear Incredulous,

When testimony is to be disbelieved, there must be a basis for such disbelief. When the claimant testifies under oath that he put the CW7 in the mailbox and that it was addressed and properly stamped, the county's allegation of nonreceipt simply means that it was not received and **not** that the claimant did not mail it. The fact that the county takes a contrary position, by itself, absent opposing evidence, does not permit a judge to disregard the participant's testimony. However, the county can question the participant to bring out contradictions in his statements or provide evidence from the case about past reporting failures.



The judge then decides the weight to give to the participant's and the county's testimony and/or evidence.